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that it would enable the cutting up of the farm into small lots and selling the same at an increased value. The proposed highway would cut the farm in two, leaving about two-thirds of the land on one side of the road and one-third on the other. Held, that no special benefits inured to the farm from the establishment of the highway, and, in estimating the damages by the opening of the highway, no reduction for benefits could be made.

VIRGINIA HOT SPRINGS CO. *v.* GROSE.

Jan. 17, 1907.

[56 S. E. 222.]

Waters and Water Courses—Pollution of Water—Right to Complain.—One purchasing riparian land after the stream has been polluted by sewage and with knowledge of such pollution is not estopped from suing therefor.

BING et al. *v.* BURRUS et al.

Jan. 24, 1907.

[56 S. E. 222.]

1. Wills—Construction—Estates Devised.—Where an estate for life is devised coupled with an absolute power of alienation, express or implied, the devisee takes the fee.

[Ed. Note.—For cases in point, see Cent. Dig. vol. 49, Wills, § 1335.]

2. Same.—Where an estate is devised to one generally, the devisee takes the fee and a limitation over is void.

[Ed. Note.—For cases in point, see Cent. Dig. vol. 49, Wills, §§ 1340-1350.]

3. Same.—A testator directed that real estate should be equally divided between his three sons, and that, if a son desired to sell his part, the preference of purchase should be given to one or both of the other sons at the price obtainable from an outside person, and, if sold to one or both of the sons, they should have time in which to pay the principal in equal installments, and provided that, if any of the sons should die without lawful heir, his part should be equally divided between the others. Held, that the sons took a fee-simple estate.

[Ed. Note.—For cases in point, see Cent. Dig. vol. 49, Wills, § 1344.]

WATTS *v.* COMMONWEALTH.

Jan. 24, 1907.

[56 S. E. 223.]

Licensees—Occupation Tax—Labor Agent—Statutes—Construction.—A person employed by a railway construction company as a